#### ARTICLE 10 SIGNS

## DIVISION 1 GENERAL

## Section 10.100 Purpose

The purpose of this Article is:

- A. **Appearance**. To protect the appearance of the community and enhance the attractiveness of Costilla County as a place to live, do business and visit.
- B. **Identification**. To enable places of residential development and commerce to be easily identified and allow the communication of information necessary to the conduct of business.
- C. **Compatibility**. To permit signs that are compatible with their surroundings, but preclude placement in a manner that conflicts with the principal uses of the site, adjacent land uses, or adjacent signs, or interferes with or obstructs the vision of, or distracts motorists, bicyclists or pedestrians.
- D. **Restriction in Size and Number**. To limit the size and number of signs and sign messages to the minimum reasonably necessary to identify a residential or business location and the nature of any such business.
- E. **Hazards**. To prevent hazardous situations, confusion and visual clutter caused by proliferation, improper placement or installation, illumination, animation and excessive height, area and bulk of signs that compete for the attention of motorists, bicyclists and pedestrians.
- F. **Safety**. Protect the public from dangers of unsafe signs, and require signs to be constructed, installed and maintained in a safe manner.

### Section 10.110 Sign Permit Required.

Unless specifically exempted by provisions of these regulations, all signs require a Sign Permit, issued by the Administrator, prior to installation or placement on property located in unincorporated Costilla County.

# Section 10.120 Maintenance Standards

Signs and sign structures shall be maintained at all times in a state of good repair, with all braces, bolts, clips, supporting frame and fastenings free from deterioration, insect infestation, rot, rust or loosening. All signs shall be kept neatly finished, including all metal parts and supports that are not galvanized or constructed of rust resistant metals.

### Section 10.130 Temporary Signs

- A. **No Permit Required**. Temporary signs are allowed in all zone districts without a sign permit if they meet all of the following restrictions and conditions.
  - 1. **Not Commercial**. Sign is not commercial in nature, including campaign and election signs, community event or non-profit fund raiser signs, and on-site signs that identify contractors working on a project on the site or advertise the parcel for sale. One sign shall be allowed for each candidate, issue or event per parcel.
  - 2. **Size**. Temporary signs shall not exceed ten (10) feet in height, and thirty-two (32) square feet in dimension.
  - 3. **No Illumination**. Temporary signs shall not be illuminated.
  - 4. **Restricted Location**. Temporary signs must be placed only on private property, located outside any right-of-way or easement, and placed to avoid any sight obstruction for motorists, cyclists and pedestrians.
  - 5. **Removal.** Temporary signs shall be removed within five (5) days after a campaign, election or event. Banners, balloons and flags may be used for a time period not to exceed a total of fourteen (14) days in any calendar year to promote a special event. Construction activity signs shall be removed within thirty (30) days of construction completion. *For Sale* signs shall be removed within thirty (30) days of sale of the property or transaction removing the property from the market.

### Section 10.140 Development Identification Signs.

A. **Permit Required**. A sign that identifies a development will be considered as part of the platting process. Size, height, location and construction materials will be reviewed in the context of the proposed development. A sign permit is required, and the provisions for application and review set forth in this Article shall apply.

## Section 10.150 Nonconforming Signs

- A. **Legally Nonconforming Signs**. Signs lawfully erected prior to the enactment of these regulations and lawfully maintained in accordance with the provisions of prior regulations, but which do not conform with the provisions of these regulations, shall be allowed to continue as nonconforming signs under the following provisions. Signs not in conformance with this Section shall be considered in violation of this Article and subject to removal by action of the County.
  - 1. **Sign May Not Be Changed**. Any legally nonconforming sign may be continued in operation and maintained, provided that no such sign shall be changed in any manner that increases the nonconformity of such sign.
  - 2. **Burden Rests Upon Owner**. The burden of establishing a sign to be a legally nonconforming sign under these regulations shall rest entirely upon the owner.

# B. Termination of Legally Nonconforming Signs.

- 1. **Abandonment**. Signs pertaining to activities or occupants that are no longer using a property shall be removed from the premises within six months after the associated activity or occupant has vacated the premises. Any such sign not removed within the required period shall constitute a violation and shall be subject to removal by action of the County.
- 2. **Destruction, Damage or Obsolescence**. The right to maintain any legally nonconforming sign shall terminate whenever the sign sustains damage in excess of fifty percent of its replacement cost, or becomes obsolete or substandard to the extent that the sign becomes a hazard.
- 3. **Failure to Maintain**. The right to continue use of a legally nonconforming sign shall terminate if the sign is not maintained in good structural and visual condition.
- 4. **Violations**. Any violation of this these regulations or the prior regulations under which a sign has been permitted shall immediately terminate the right to continue use of the sign.
- Condemnation. The Board of County Commissioners may choose to condemn a nonconforming sign found to be in violation of these regulations.
  Recommendations for condemnation shall be made by the Administrator.

# Section 10.160 Prohibited Signs

The following types of signs or advertising devices are prohibited in all zone districts.

- A. **Structurally Unsafe**. Signs that are structurally unsafe or constitute a hazard.
- B. **Signs Blocking Ingress or Egress**. Signs that prevent free ingress or egress from any door, window or fire escape. No sign of any kind shall be attached to a standpipe or fire escape, except those signs that may be required by other codes, regulations, or ordinances.
- C. **Signs Obstructing Visibility**. Signs that obstruct or interfere with traffic signs or signals, or that impair visibility in the public right-of-way, or that are located within a clear vision area.
- D. **Signs with Moving Parts**. Signs with visible moving, revolving or rotating parts, flashing or fluttering lights or other illuminating devices that have a changing brightness or intensity or color, or any mechanical movement or apparent movement achieved by electrical, electronic or mechanical means, *except* time, temperature and date signs or holiday decorations.

- E. **Displays With Open Light Bulbs**. External displays, other than temporary decorative holiday lighting, that consist of unshielded or open light bulbs.
- F. **Signs Without Adequate Clearance from Power Lines**. Signs that have been constructed or maintained with less horizontal or vertical clearance from authorized communication or energized electrical power lines than that prescribed by state law or required by the utility provider.
- G. **Off-Premises Signs**. Signs not located upon the property or business identified or advertised by the sign, and signs located in the public right-of-way or easement.
- H. **Vehicle Signs**. Signs placed on vehicles or trailers that are parked or located for the apparent purpose of advertising a product, service or activity or to direct people to a business or activity located on the premises or nearby
- I. **Obsolete Signs**. Signs that are located on property that becomes vacant and unoccupied for a period of six months or more, or a sign that pertains to a time, event or purpose that no longer applies shall be considered obsolete. The sign face of an obsolete sign shall be removed by the owner of the sign or the owner of the property. A sign that is not so removed by the owner may be removed by the Administrator, as authorized under Article 12, provided however, that the following types of signs shall be excepted from these provisions.
  - 1. **Exception for Change of Ownership**. Signs displayed on a business temporarily suspended because of a change of owner ship or management of the business shall not be construed to be obsolete unless the property remains vacant or the business is closed for a period of six months or more.
  - 2. **Exception for Seasonal Business**. Permanent signs displayed on a business that is open only on a seasonal basis shall not be construed to be obsolete unless the property remains vacant or the business is closed for a period of twelve months or more.
- J. Signs on Natural Features. Signs painted on rocks or other natural features.
- K. **Billboards.** Billboard signage is prohibited in all zone districts.

## DIVISION 2 APPLICATION, REVIEW AND APPROVAL

#### Section 10.200 Process

A. **Application Materials**. Any application for a sign permit must include the following materials. The Administrator may require additional materials or information as deemed necessary to properly evaluate the proposed sign.

- 1. **Application**. An Application for Sign Permit shall be available through the Planning and Zoning Department. Information required shall include i) the name, address and phone number of the applicant, ii) physical address of the property, iii) zoning of the property, and iv) nature of the principal use to be identified by the proposed sign.
- 2. **Scale Drawing of Sign**. A scale drawing of the proposed sign, that includes exact dimensions and area calculations, text, and color and materials proposed for the sign.
- 3. **Plot Plan**. A plot plan, drawn to scale, showing the proposed location and orientation of the sign. The plot plan must include all easements and rights-of-way of record that may affect or be affected by the location of the proposed sign.
- 4. **Sign Illumination**. A description of the sign illumination. This may be shown on the Scale Drawing of the proposed sign. Description of illumination shall include target illumination levels, hours of operation, control methods, lamp and luminarie information, and manufacturer description.
- 5. **Electrical and Engineering Information**. Electrical and engineering data sufficient to prove the safety and reliability of the proposed sign.
- 6. **Permit Fee**.
- B. **Review and Approval.** Within three working days of receiving a complete application, the Administrator shall review the application for compliance with the review criteria in Section 10.210.
  - 1. The Administrator shall approve, approve with conditions or deny the Sign Permit.
  - 2. The Administrator shall provide written notice to the applicant stating approval, conditions of approval, or denial and the specific review standards that were not met. The Administrator's decision can be appealed to the Board of Adjustment.

### Section 10.210 Review Criteria

- A. **On-Premises Advertising**. The sign shall identify or advertise the legally established principal use of the lot on which the sign is located.
- B. **Dimensions**. The size and height of the sign must comply with standards shown in the Sign Table, Section10-220. Where a sign has two display faces, the area of one side shall be considered the total area for that sign.

C. **Moving Features**. The sign shall not contain any flashing, rotating, animated or otherwise moving features. Signs with a changeable message must remain motionless for not less than one minute.

#### D. Illumination.

- 1. **Flashing Lights Prohibited.** The sign shall not have blinking, flashing, moving or fluttering lights or other illuminating devices that have a changing light intensity, brightness or color.
- 2. **No Impact to Neighboring Property**. Illuminated signs shall not cause glare or otherwise adversely impact residential areas.
- 3. **No Impacts to Traffic.** Neither the direct or reflected light from any light source illuminating the sign shall create a traffic hazard to operators of motor vehicles on public thoroughfares or approaches to public thoroughfares. Colored lights shall not be used at any location or manner so as to be confused with or construed as a traffic control device.
- 4. **Lighting Standards Met**. Illuminated signs shall conform to applicable provisions of the general lighting standards adopted by the County.
- E. **Location**. The sign shall be entirely located on private property and shall not be placed on or over road easements or rights-of-way. The sign shall not create an obstruction for traffic or create any hazard for motorists, cyclists or pedestrians.

### F. Safety.

- 1. **Wind Load**. Signs over ten feet in height and or forty square feet in surface area shall be engineered to withstand a wind loading of a minimum of thirty pounds per square foot of sign area without failure of the face retention system or sign structure.
- 2. **Electrical Wiring**. Electrical wiring for the sign shall be underground in the case of freestanding signs, and behind the sign cabinet in the case of wall or projecting signs.
- 3. **Support**. Roof signs, signs mounted on marquees, or projecting signs shall be engineered in such a manner that no guy wires are needed for support, other than for the sign structure itself.
- 4. **Protection of Anchors and Supports**. Anchors and supports shall be protected when near driveways, parking lots or similar locations where they could be damaged by moving vehicles. Signs attached to masonry, concrete or steel shall be safely and securely fastened thereto by means of metal anchors, bolts or approved expansion screws of sufficient size and anchorage to safely support the

loads applied. No anchor or support of any sign, except flat wall signs, shall be connected to or supported by a parapet wall that is not braced.

## Section 10.220 Sign Table

Zoning District	Max. Sign Size	Max. Sign Height	Interstate Highway Signs*
Zoning District	(Sq.Ft.)	(Ft.)	Signs.
Agricultural	15	20	N/A
Rural Residential	15	20	N/A
Estate Residential	15	10	N/A
Industrial	60	40	180/60

<sup>\*</sup>Interstate highway signs apply only to uses that provide gasoline, food or lodging and have frontage on the Interstate right-of-way or Interstate frontage road.

### DIVISION 3 VIOLATIONS

## Section 10.300 Violations

- A. **Inspection and Order to Repair**. The Administrator shall inspect and shall have the authority to order the repair, alteration, painting or removal at the owner's expense, of any sign that constitutes a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation or obsolescence.
- B. Written Order. When the Administrator finds that a violation of these regulations exists, he shall issue a written order to the alleged violator. The order shall specify those provisions of these regulations that the individual may be in violation of and shall state that the individual has ten (10) days from the date of the order in which to correct the alleged violation, or file an appeal with the Board of County Commissioners.
- C. **Removal of Obsolete Sign**. If, upon inspection, the Administrator finds that a sign has been abandoned, he shall issue a written order to the owner of the sign and/or owner or occupant of the premises stating the nature of the violation and requiring that person to remove or repair the sign within ten days form the date of the order. In cases of emergency, the Administrator may cause the immediate removal of nay sign that endangers the public or is structurally, materially, electrically or otherwise defective, without notice, at the expense of the owner of the sign or premises.
- **Removal of Prohibited Sign**. In the case of a prohibited sign, the sign owner or owner of the premises shall be required to remove the offending sign within ten (10) days of receipt of written notification served on the sign owner or owner of the premises personally, or by certified mail, return receipt requested. If the sign is not removed within ten days, then the Administrator may remove the offending sign and recover the costs from the owner of the sign or the premises.

E. **Sign Does Not Comply with Permit**. If the Administrator finds that the sign under any permit issued does not comply with the information supplied in the permit application and/or is in violation of these regulations, or finds that there has been any misrepresentation in connection with the application for the permit, he shall notify the sign owner of such findings and notify the sign owner that the violation must be corrected within five (5) working days. The sign owner shall have five (5) working days in which to reply to such notification. If such correction is not made within the five-day period, the Administrator shall revoke the permit and shall serve written notice to the sign owner by personal service or certified mail with return receipt.